

REMARKS/ARGUMENTS

Claims 1-16 are pending with Claim 1 and Claim 14 being the only independent claims. By this Amendment, Claims 1-11 are amended and Claims 12-16 are added. The amendments are made for the purpose of addressing informalities pointed out by the Examiner or improving the clarity of the claims, and are not made to overcome any prior art. No new subject matter is added by this Amendment.

The Examiner rejected Claims 1-11 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. While not necessarily agreeing with the Examiner's assertions of indefiniteness, Applicant has amended the claims in accordance with the Examiner's suggestions. Applicant has additionally repaired the alleged lack of antecedent basis in claims 1 and 8. Further, Applicant has amended the claims to place them in better form and has added new Claims 12-16.

Specifically, Applicant has amended claim 1 such that a "two piece second layer of permeable material" is now referred to as a "second layer of permeable material." New Claim 12 now describes the second layer of permeable material as a two piece layer. Also, Claim 1 was amended to more clearly recite a zipper having an opening and to add a "wherein" clause. Proper antecedent basis was also established for "periphery." Further, the location of the zipper was more clearly described and an opening, instead of a shell, now describes the location of the polyurethane foam and odor absorbing fabric. This amendment is supported at least at page 5 (paragraph [0041]) of the specification.

Claim 2 was amended consistent with claim 1 from which it depends. Additionally, the

layers of permeable material are now more clearly described as comprising a fabric.

Claim 3 was amended to make it dependent from Claim 1 instead of Claim 2 and to clarify that the first layer and second layer of permeable material are washable and reusable. This amendment is supported at least at page 4 (paragraph [0033]) of the specification.

Claim 4 was amended to make it dependent from Claim 1 instead of Claim 2. The term “peel and stick tape hook fasteners” was amended to simply describe “fasteners” and to delete reference to a particular use of the invention. New Claim 13 now describes the fasteners as being peel-and-stick tape hooks. This amendment is supported at least at page 6 (paragraphs [0042], [0050] and [0051]) and page 7 (paragraph [0055]) of the specification as well as Figures 2-3.

Claim 5 was amended to delete reference to a particular purpose of the polyurethane foam described.

Claim 8 was amended to delete reference to a “semi permeable material” and to add the term “flexible activated charcoal fabric.” Also, reference to “surface area” was deleted and replaced with the term “density” so that the units of square meters per gram are accurately described. This amendment is supported at least at page 5 (paragraph [0036]) of the specification.

Claim 11 was amended to delete the redundant term “a flexible activated charcoal fabric,” to delete reference to a particular use (e.g., heavy flatulence odor removal), and to add the term “at least one of activated coconut shell carbon.” This Amendment is supported at least at page 7 (paragraph [0056]) of the specification.

New Claim 14 was added to clearly set forth the required elements of the invention. This

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new claim is supported at least at pages 4 (paragraphs [0029], [0030], and [0034]), 5 (paragraphs [0036] and [0041], and 6 (paragraph [0041]) of the specification.

New Claim 15 was added to recite the feature that the sound dampening material and odor absorbing material are capable of being removed from inside the permeable material. This new claim is supported at least at page 4 (paragraph [0032]) and page 5 (paragraph [0041]) of the specification.

New Claim 16 was added to recite compositions of the odor absorbing material. This new claim is supported at least at claim 11, and page 7 (paragraph [0056]) of the specification.

Applicant respectfully submits that Claims 1-11, as amended, and new Claims 12-16 are patentable over the art of record and respectfully request that the §112, second paragraph, rejections be withdrawn. It is also respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,

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